



Docket No. 371-20-055

RECEIVED

MAY 06 2004

OFFICE OF PETITIONS

PATENT

DAF/3738
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Helix Medical, Inc.

Serial No. 09/833,961

Art Unit: 3738

Filed: April 11, 2001

Examiner: Thomas C. Barrett

For: MEDICAL DEVICES HAVING ANTIMICROBIAL PROPERTIES

TRANSMITTAL

Mail Stop Appeal Briefs-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed please find three (3) copies of Appellants' Brief, check no. 5901 in the amount of \$165.00 was previously submitted on January 29, 2004 with the original brief. This is a substitute Brief on Appeal required by Office Action dated February 19, 2004. Also enclosed is check no. 6065 in the amount of \$665.00 for the Petition to Revive.

An oral hearing is not requested.

Please charge any additional fee in this Appeal to Deposit Account No. 10-0192. One additional copy of this Transmittal is enclosed.

Respectfully submitted,

KOPPEL, JACOBS, PATRICK & HEYBL
2151 Alessandro Drive
Suite 215
Ventura, California 93001
(805) 648-5194

Marvin E. Jacobs
Registration No. 20,632

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on

42804
Date

Signature